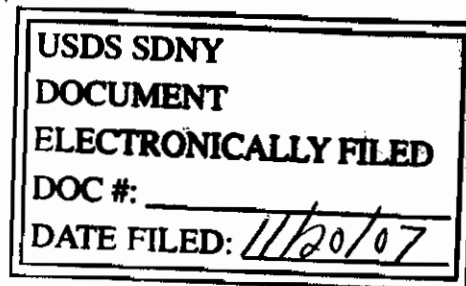


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-----X  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X

FEDERAL INSURANCE COMPANY;

Plaintiff,

- against -

EXPEDITORS INTERNATIONAL OF  
WASHINGTON, INC.; EXPEDITORS  
INTERNATIONAL OCEAN; EXPEDITORS  
INTERNATIONAL FRANCE SAS;

Defendant.  
-----X

EXPEDITORS INTERNATIONAL OF  
WASHINGTON, INC.; EXPEDITORS  
INTERNATIONAL OCEAN; EXPEDITORS  
INTERNATIONAL FRANCE SAS;

Third-Party Plaintiffs,

- against -

HYUNDAI MERCHANT MARINE, LTD.;  
BURLINGTON NORTHERN SANTA FE  
RAILROAD; AIR FRANCE AND FEDEX  
TRADE NETWORKS TRANSPORT &  
BROKERAGE, INC.;

Third-Party Defendants.  
-----X

: ECF CASE

: 07 Civ. 3166 (PKC)

: **STIPULATION & ORDER OF**  
: **PARTIAL DISMISSAL**

07 Civ. 3166 (PKC)  
Stipulation of Partial Dismissal  
Page 2

WHEREAS, as to the cargo claim set forth in Schedule A of the Complaint (hereinafter "Schedule A Claim") a settlement agreement has been reached between plaintiff, the Expeditors defendants ("Expeditors"), and third-party defendants Hyundai Merchant Marine Ltd. ("Hyundai"), and Burlington Northern Santa Fe Railroad ("BNSF");

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties to this action that,

1. The Schedule A Claim, and all cross-claims, counterclaims, and third-party claims based on said claim, is hereby dismissed pursuant to Rule 41(a) (1) and (c) Fed. R. Civ. P., with prejudice and without costs to any party as against any other party, subject to reopening by letter application of plaintiff's counsel if settlement funds are not received within sixty days of the date of this order;

2. As to the cargo claim set forth in Schedule B of the Complaint ("Schedule B Claim"), and the cross-claims and third-party claims based on said claim, this action will proceed and continue forward against the Expeditors defendants and against third-party defendants Air France and Fedex Trade Networks Transport & Brokerage, Inc. ("FedEx")

3. As Hyundai and BNSF had no involvement with the transportation which is the subject of the Schedule B Claim, said claim is dismissed pursuant to Rule 41(a)(1) Fed. R. Civ. P. only as against Hyundai and BNSF.

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Stipulation of Partial Dismissal  
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4. Upon consummation of the aforementioned settlement of the Schedule A Claim, and receipt by plaintiff of all agreed settlement funds, reference to Hyundai and BNSF will be omitted from the caption in any and all future pleadings;

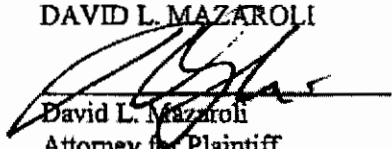
5. Plaintiff may file an amended complaint relating to the Schedule B Claim to assert its direct claim against FedEx and against the underlying trucker which transported the shipment which is the subject of said claim.

Dated: New York, New York  
November 20, 2007

SO ORDERED:

  
Honorable Peter K. Castel  
UNITED STATES DISTRICT JUDGE

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Stipulation of Partial Dismissal  
Page 4

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Stipulation of Partial Dismissal  
Page 5

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